HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI

AND

HON'BLE SRI JUSTICE G. BHAVANI PRASAD

Writ Petition No.2381 of 2006

Between:

Smt.P. Rajyalakshmi

… Petitioner

And

The Andhra Pradesh Pollution Control Board

Represented by its Engironmental Engineer

and others.

… Respondents

:: ORDER::

Counsel for the Petitioner: Sri P. Veera Reddy

Counsel for Respondent No.1: Sri S.V. Bhat

Counsel for Respondents No.

2, 3 and 4: Government Pleader for Industries and Commerce

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Counsel for Respondent No.5: Sri M. Prabhakar Rao

Counsel for Respondents No.

6 and 7: Sri P. Venugopal

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March 27, 2006

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Per G.S. Singhvi, CJ

In this petition filed as a piece of public interest litigation, the petitioner has prayed for issuance of a mandamus to respondents No.1 to 5 to close down the hot-mix plant established by respondents No.6 and 7.

Sri P. Venugopal, learned counsel appearing for respondents No.6 and 7 says that his clients are not operating the hot-mix plant and they would do so only after obtaining necessary consent and/or permission from the Andhra Pradesh Pollution Control Board (for short, 'the Board') for which appropriate application is being filed.

In view of the statement made by Sri P. Venugopal, the writ petition is disposed of as infructuous with liberty to respondents No.6 and 7 to seek permission/consent from the competent authority of the Board for operating the hot-mix plant.

At the request of Sri P. Venugopal, we direct that the application, if any filed by respondents No.6 and 7 shall be processed, considered and decided in accordance with law as early as possible, but within a maximum period of three months.

However, it is made clear that this direction shall not be considered as a mandate of the Court for grant of consent and/or permission and the competent authority of the Board shall consider the application only after satisfying itself that the applicant fulfills all the conditions.

G.S. SINGHVI, CJ

G. BHAVANI PRASAD, J

March 27, 2006

svs